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PATENT
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Arnold et al.

Serial No.: 09/612,479

Filed: July 7, 2000

For: **TELEPHONIC APPARATUS WITH
AUTOMATIC AREA CODE
DIALING CAPABILITY
RESPONSIVE TO DIALING KEY
OPERATION**

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) **Group Art Unit: 2643**

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) **Examiner: R. Barnie**

RESPONSE

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In the Office Action mailed August 23, 2004, claims 1-48 merely stand rejected under the judicially created doctrine of obviousness-type double patenting over claims 1-22 of U.S. Patent No. 6,751,311. Without acquiescence that claims 1-48 of the present application are not patentably distinct over the claims of U.S. Patent No. 6,751,311, or any of the claims of copending U.S. Patent Application Ser. No. 09/615,672, Applicants submit herewith a Terminal Disclaimer that is believed to overcome the double patenting rejections of these claims, and as such, respectfully request withdrawal of the rejections of claims 1-48.

Applicants would also like to note that the claims of copending U.S. Patent Application Ser. No. 09/615,672, which are similar in scope to the claims of the present application and which are

being presently examined by a different examiner, stand rejected over U.S. Patent No. 5,917,904 ("Thesis"), which has been cited in the attached information disclosure statement, and U.S. Patent No. 5,157,719 ("Waldman"), which this Examiner is quite familiar with. As was explained to the other examiner, the claims in the copending application, as well as the claims in this present application, are clearly patentable over these references. Should this Examiner have any doubt, he is encouraged to review Applicants' arguments in the copending application. Applicants will gladly provide the Examiner with copies of the file history in the copending application if requested by the Examiner.

Based on the foregoing, all claims are now believed to be allowable and a Notice of Allowance is respectfully requested. If the Examiner has any questions or comments regarding this response, the Examiner is respectfully requested to contact the undersigned at (714) 830-0606.

Respectfully submitted,

Bingham McCutchen LLP

Dated: November 18, 2004

By: 

Michael J. Bolan
Reg. No. 42,339

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Irvine